



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,451	03/22/2001	Dekel Shiloh	3323/1H366US1	4579

7590 04/22/2003

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

EXAMINER

ELISCA, PIERRE E

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/814,451

Applicant(s)

Dekel, Shiloh

Examiner

Pierre E. Elisca

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/22/2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 3621



Examiner Pierre Eddy Elisca
United States Department of Commerce
Patent and Trademark Office
Washington, D.C. 20231

DETAILED ACTION

1. This Office action is in response to Application No. 09/814,451, filed on 03/22/2001.
2. Claims 1-7 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Rejection under 35 U.S.C. 102 (e), Patent Application Publication or Patent to Another with Earlier Filing Date, in view of the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002.

(e) the invention was described in (1) an application for patent, published under section 122 (b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

Art Unit: 3621

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21 (2) of such treaty in the English language.

4. Claims 1-7 are rejected under 35 U.S.C. 102 (e) as being anticipated by Fortenberry et al. (U.S. pat. No. 6,005,939).

As per claims 1-5, Fortenberry discloses a password containing user defined information at various security levels is stored in a secure server on the internet (which is readable as Applicant's claimed invention wherein it is stated that a real entity to access a service on a communication network), comprising:

establishing a user account including at least:

first data corresponding to the identity of the real entity (see., abstract, col 1, lines 51-67, specifically password); and

second data corresponding to the virtual entity and not identifying said real entity (see., abstract, col 6, lines 63-67, specifically wherein it is stated that virtual information includes items such as virtual identification that can be used when visiting web sites);

Art Unit: 3621

storing said first and second data in a first database (see., col 2, lines 1-13, col 5, lines 62-67, col 6, lines 1-7);

linking between said first and second data in said first database (see., col 5, lines 62-67, col 6, lines 1-7);

storing said second data at a second database (see., col 5, lines 62-67, col 6, lines 1-7);

associating said second database with a communication network site (see., col 5, lines 62-67, col 6, lines 1-7);

connecting said communication network site to said communication network (see., abstract, col 5, lines 62-67, col 6, lines 1-7);

receiving said second data from an unidentified user on the communication network site (see., col 6, lines 31-67);

identifying said unidentified user as said virtual user based on receiving said second data (see., col 6, lines 31-67) and

allowing said virtual entity to access said service (see., col 6, lines 63-67). Fortenberry further discloses in response to a user requests, a vendor may request user information such as user name, address, and credit card number (or billing).

As per claims 6, and 7 Fortenberry discloses a password containing user defined information at various security levels is stored in a secure server on the internet (which is readable as Applicant's

Art Unit: 3621

claimed invention wherein it is stated that a virtual entity residing on a communication network site), comprising:

a memory having stored therein information defining the virtual entity, which information includes a unique user name, a password and information corresponding to a virtual representation of the virtual entity (see., abstract, col 1, lines 20-37, lines 51-55, col 6, lines 63-67); and

a virtual user interface adapted to communicate with said communication network from said communication network (see., abstract, col 6, lines 63-67);

wherein said virtual entity is not linkable, on said communication network, to the identity of said real entity (see., col 1, lines 51-67, col 6, lines 63-67).

Conclusion

5. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

The Official Fax Number For TC-3600 is:

Serial Number: 09/814,451

Page 6

Art Unit: 3621

(703) 305-7687


Pierre Eddy Elisca

Patent Examiner

April 17, 2003